

Handwritten signature/initials.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,340	04/10/2001	Ilya Schiller	11627-004001	9977
26161	7590	10/24/2006	EXAMINER	
FISH & RICHARDSON PC P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			LE, BRIAN Q	
			ART UNIT	PAPER NUMBER
			2624	

DATE MAILED: 10/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/832,340

Applicant(s)

SCHILLER ET AL.

Examiner

Brian Q. Le

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09/05/2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-13 and 38-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 1-2, 4-13 and 38-50 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment and Arguments

1. Applicant's amendment filed September 05, 2006, has been entered and made of record.
2. Applicant's arguments, see Remarks, filed 09/05/2006, with respect to the rejection(s) of claim(s) 1-2, 4-5, and 7-10 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Morishita et al. U.S. Patent No. 6,335,727.

Thus, the rejections of all of the claims are maintained.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 4-5, and 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Yamakita, Tooru EP 0 865 192 and further in view of Morishita et al. U.S. Patent No. 6,335,727.

Regarding claim 1, Yamakita teaches a method comprising:

Receiving handwriting data (writing data on portable terminal) electronically from a remote user at a handwritten-information server (host device) (page 1, column 1), and

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Processing the handwriting data in accordance with instructions provided to the server by the user (page 1, column 2). However, Yamakita does not explicitly teach the receiving of handwritten-information data on a pen which the data comprise coordinate points. Morishita further teaches a handwriting recognition method further comprises the method of receiving handwritten-information which the data comprises coordinate points representing the handwriting motion (FIG. 5, element 12; FIG. 9, element 12; FIG. 8). Modifying Yamakita's method of processing handwriting according to would have been obvious for one skilled in the art to use a pen to capture data on a pen wherein data comprise coordinate points representing the handwriting motion. This would improve processing so that handwriting information can be provided with high portability (column 4, lines 1-5) and therefore, it would have been obvious to one of the ordinary skill in the art to modify Yamakita according to Morishita.

For claim 2, Yamakita further teaches the method which the handwriting data is generated using a handwriting device at the location of the remote user (portable terminal such as table for special pen/stylus) (page 1, column 1 and FIG. 2).

Regarding claim 4, Yamakita discloses method including performing handwriting recognition at the site of the remote user (page 1, column 2, first 2 lines).

For claim 5, Yamakita teaches the method including performing handwriting recognition at the handwritten-information server (character recognition at personal computer/host device) (column 1, lines 33-38).

For claim 7, Yamakita teaches the method which the handwriting data includes information identifying a destination of the handwriting data (page 2, column 2, lines 30-39).

Referring to claim 8, Yamakita further teaches the method which the processing of the handwriting data includes forwarding it to a destination (page 2, column 2, lines 30-39).

Also to claim 9, Yamakita teaches the method which the forwarding comprises sending the handwriting data in FAX format (page 8, column 13, lines 25-30).

Regarding claim 10, Yamakita teaches the method which the forwarding comprises sending the handwriting data as an email attachment or in a body of an email (content of a email) (column 2, lines 40-50).

5. Claims 6, 12-13 and 38-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Yamakita, Tooru EP 0 865 192 and further in view of Morishita et al. U.S. Patent No. 6,335,727 as applied to claim 3 above, and further in view of Lee U.S. Patent No. 5,347,477.

For claim 6, Yamakita teaches the method of including the location of the remote user, forming an electronic file representing the handwritten information (column 1, lines 13-17), and transmitting the electronically captured handwriting from the communication device to the handwritten-information server (page 1, column 1 and column 2). Yamakita does not explicitly teach wherein the pen can be electronic wireless pen. Lee further teaches a method processes handwriting wherein handwriting data is generated by an electronic wireless communication device (wireless pen) (column 3, lines 24-25 and FIG. 5). Modifying Yamakita's method of processing handwriting data according to Lee would be able to provide a wireless pen in providing the wireless capability for the apparatus. This would improve processing and therefore, it would have been obvious to one of ordinary skill in the art to modify Yamakita according to Lee

For claim 12, please refer back to claims 3 and 6 for the teaching of wireless communication. In addition, Yamakita teaches the concept of storing (computer) (page 2, column 1, line 30).

Referring to claim 13, please refer back to claims 3, 6 and 12 for the teaching of wireless communication. Furthermore, Yamakita teaches a method providing an interactive user interface on a screen of a mobile device to enable a user to control functions (commands) applied (page 7, column 11, lines 39-47) to the stored handwriting information (simple interface) (page 2, column 2, lines 40-45).

Regarding claim 38, Yamakita teaches the method in which providing the interactive user interface includes receiving input through one or more of a screen on the mobile device, a web browser, speech recognition, or touch-tone sequences (a fax has touch-tone sequences) (page 3, column 3, line 41).

For claim 39, Yamakita teaches the method in which receiving input includes receiving additional handwriting information (special pen provides additional handwriting information) (page 2, column 2, lines 45-55)

Referring to claim 40, Yamakita teaches the method in which storing includes converting the handwriting information to a character format (page 2, column 2, lines 35-38).

As to claim 41, Yamakita teaches the method in which the functions include retrieving the handwritten information (page 3, column 3, lines 3-7).

For claim 42, Yamakita teaches the method in which the functions include forwarding the handwritten information to another user (send by email) (page 3, column 3, line 41).

Referring to claim 43, Yamakita teaches the method in which the functions include making the handwritten information available on the Internet (page 4, column 6, lines 25-30).

For claim 44, Yamakita teaches the method in which the functions include perform computations on the handwritten information (handwritten image analysis) (page 8, column 13, lines 45-50).

Regarding claim 45, Yamakita teaches the method in which the functions include interpreting the handwritten information into computer-usable information (converting the handwriting information to a character format to be understood by computer) (page 2, column 2, lines 35-38).

For claim 46, Yamakita teaches the method in which interpreting the handwritten information includes extracting an address from the handwritten information (column 3, lines 33-38 and column 6, lines 55-58).

Regarding claim 47, Yamakita teaches the method in which interpreting the handwritten information extracting a phone number from the handwritten information (Yamakita provides the ability to extract image data; thus will be able to extract phone number if there is phone number contained in the image data) (column 6, lines 20-23).

For claim 48, Yamakita teaches the method in which interpreting the handwritten information includes extracting a task from the handwritten information (column 3, lines 33-38 and column 6, lines 55-58).

Regarding claim 49, please refer back to claim 6 for further teachings and explanations. In addition, Tooru teaches processing the handwriting data represented by the file in accordance

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with instructions provided to the server by the user (column 8, lines 25-30 and column 16, lines 31-37).

For claim 50, Tooru further teaches the method which the communication device comprises a user interface and is enabled to display a graphical representation of the handwriting motion data and to edit the handwriting motion data (column 12, lines 23-31).

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

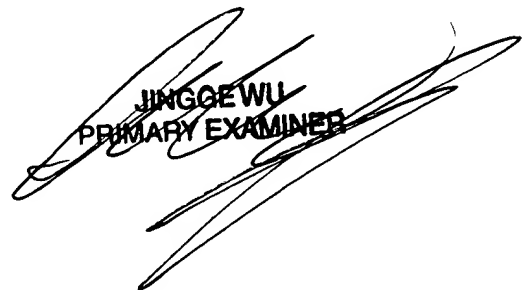
Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Q. Le whose telephone number is 571-272-7424. The examiner can normally be reached on 8:30 A.M - 5:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jingge Wu can be reached on 571-272-7429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BL
October 19, 2006


JINGGEWU
PRIMARY EXAMINER